Remarks

The final Office Action mailed June 13, 2006 has been carefully reviewed and the foregoing amendments have been made in consequence thereof.

Claims 1, 5, and 8-19 are now pending in this application. Claims 1, 5, and 8-19 stand rejected.

Applicants respectfully submit that entry of this amendment is proper under 37 CFR § 1.116 since the amendment: (a) places the application in condition for allowance for the reasons discussed herein; (b) does not raise any new issue requiring further search and/or consideration as the amendment relates to issues previously discussed throughout prosecution; (c) does not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) places the application in better form for appeal, should an appeal be necessary. The amendments herein are necessary and were not earlier presented because they are made in response to arguments raised in the final Office Action. Entry of this amendment is thus respectfully requested.

The rejection of Claims 1, 5, and 8-19 under 35 U.S.C. § 103(a) as being unpatentable over Jiang (U.S. Patent 6,278,913) ("Jiang") in view of Dahlberg (U.S. Patent 6,463,439) ("Dahlberg") is respectfully traversed.

Jiang describes a method and system for processing data including sampling, filtering, decoding, encrypting, and compressing data, for example, sensor reading data, **prior to** storing the processed data in a memory of a smart card. Each user/pilot of the data processing system has an associated self-protected secure memory device such as a pilot's log card that may contain personal identification data, authorization codes, a digital signature, and relevant data pertaining to the user's performance of job responsibilities. In a sampling stage of data processing, after signals have been acquired from an aircraft databus or collection of sensors, specified signals of interest may be **extracted** based on identifying labels/tags and a list of tags corresponding to parameters to be monitored that are previously stored on the pilot's log card. The sampled data is then made available for a filtering stage.

In the filtering stage of data processing, the sampled signals or interest may be filtered to reduce noise, remove artifacts, etc. The signals may also be compared with previously collected data to determine if a parameter's values have sufficiently changed from the

previously collected data according to criteria stored in the pilot's log card. If the new data is determined to be sufficiently changed, then the new parameter data is stored on the smart card along with a respective timing data in preparation for further processing. For example, the smart card may be used to record flight data while the pilot is operating an aircraft and the flight data may be subsequently downloaded to a ground-based computer station for further review and analysis. Notably, the sampling stage and the filtering are not used to extract new or changed data **after** the data is stored and downloaded, but rather new or changed data is extracted **prior to** storing and downloading the data.

Dahlberg describes a method and system for managing flight data by placing modified information extracted from a database into a master file stored in a data storage device and then loading the information into memory for access by applications programs(70 and 80) located in a server (100). The system and method includes an Xref Framework (10) having an Xref Storage Manager XSM (20) and an Xref Interface (40). The XSM (20) module is used to extract incremental updates of modified time-stamped data, for example, changed, added or deleted information stored in a database (60) since a last full extraction of the database (60). The XSM (20) module is also used to transfer such information to Xref files (50), or incremental files (52) and index file (54).

After the XSM (20) module sends a notification message to the applications (70 and 80) announcing the availability of a new update, the Xref Interface (40) is used by the applications (70 and 80) to load the Xref file (50), or the incremental files (52) and the index file (54) into a shared memory (150) that may be accessed by the application programs (70 and 80). Notably, Dahlberg does not describe nor suggest a method or system for reading an external configuration file that provides data mapping information between the database (60) and the applications (70 and 80). Further, Dahlberg does not describe or suggest mapping the database (60) to the applications (70 and 80), but rather Dahlberg merely describes that the Xref Interface (40) manages the mapping of Xref files (50) and access of incremental updates to the applications (70 and 80) in the server (100).

Claim 1 recites a method of exporting data from an engine condition monitoring program database to a long term storage destination database, the method including "downloading data recorded in a flight data recorder to a program database retaining only recent data in a ground-based computer system . . . after said downloading of the data recorded, extracting from said program database data that is new or changed since a last date

and time that data was successfully exported to the long term storage destination database; reading an external configuration file that provides data mapping information between the program database and the long term storage destination database; mapping the program database to the long tem storage destination database"

Neither Jiang nor Dahlberg, considered alone or in combination, describes or suggests a method of exporting data from an engine condition monitoring program database as is recited in Claim 1. Specifically, neither Jiang nor Dahlberg, considered alone or in combination, describes nor suggests a method of exporting data from an engine condition monitoring program database to a long term storage destination database, wherein the method includes, **after** downloading of data recorded, extracting from a program database data that is new or changed since a last date and time that data was successfully exported to the long term storage destination database, reading an external configuration file that provides data mapping information between the program database and a long term storage destination database, and mapping the program database to the long tem storage destination database.

Rather, in contrast to the present invention, Jiang describes a data management system used to sample and filter new or changed data **prior to** storing and downloading the data to a smart card, and Dahlberg merely describes a method for time-stamping data and mapping an extracted file to a server. Accordingly, for at least the reasons set forth above, Claim 1 is respectfully submitted to be patentable over Jiang in view of Dahlberg.

Claim 5 recites, in a computer system having an engine condition monitoring program, a program database including a number of data tables data tables, and a long term storage destination database, a method of exporting data from said program database to said destination database, the method including "downloading data recorded in a flight data recorder to said program database for short term storage and analysis . . . reading an external time file to determine a last date and time that data was successfully exported to said destination database; searching said program database for data that is new or changed since said last successful export; after said downloading of the data recorded, retrieving the new or changed data found in searching said program database; reading an external configuration file that provides data mapping information between the program database and the long term storage destination database; mapping the program database to the long tem storage destination database"

Neither Jiang nor Dahlberg, considered alone or in combination, describes nor suggests a method of exporting data from an engine condition monitoring program database as is recited in Claim 1. Specifically, neither Jiang nor Dahlberg, considered alone or in combination, describes nor suggests a method of exporting data from an engine condition monitoring program database to a long term storage destination database, wherein the method includes, **after** downloading of data recorded, extracting from a program database data that is new or changed since a last date and time that data was successfully exported to the long term storage destination database, reading an external configuration file that provides data mapping information between the program database and a long term storage destination database, and mapping the program database to the long tem storage destination database.

Rather, in contrast to the present invention, Jiang describes a data management system used to sample and filter new or changed data **prior to** storing and downloading the data to a smart card, and Dahlberg merely describes a method for time-stamping data and mapping an extracted file to a server. Accordingly, for at least the reasons set forth above, Claim 1 is respectfully submitted to be patentable over Jiang in view of Dahlberg.

Claims 8-19 depend, directly or indirectly, from independent Claim 5. When the recitations of Claims 8-19 are considered in combination with the recitation of Claim 5, Applicants submit that dependent Claims 8-19 likewise are patentable over Jiang in view of Dahlberg.

Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Neither Jiang nor Dahlberg, considered alone or in combination, describe or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would not be obvious to one skilled in the art to combine Jiang and Dahlberg, because there is no motivation to combine the references suggested in the art. Additionally, the Examiner has not pointed to any prior art that teaches or suggests to combine the disclosures, other than Applicants' own teaching. Rather, only the conclusory statement that "it would have been obvious to one skilled in the art at the time of the invention was made to combine Dahlberg and Jiang's method in order to reduce the time and resource required for

the next data extraction, because only changed and added data identified using the time stamps are exported" suggests combining the disclosures.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion nor motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection is based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Since there is no teaching or suggestion in the cited art for the combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejection be withdrawn.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 1, 5, and 8-19 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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